

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

KEITH CHARLES KNAPP, as Trustee of the California Home Loans Profit Sharing Plan; TRUST FOR THE CALIFORNIA HOME LOANS PROFIT SHARING PPLAN, as a fiduciary of the California Home Loans Profit Sharing Plan,

Plaintiffs,

v.
NOREEN CARDINALE, an individual, Defendant.

Case No. C-12-05076-RMW

ORDER GRANTING DEFENDANT'S MOTION FOR LEAVE TO FILE AN AMENDED COMPLAINT

[Re Docket No. 22]

Plaintiff Keith Charles Knapp moves for leave to file a First Amended Complaint against defendant Noreen Cardinale to add a plaintiff. Under the Federal Rules, an amendment is only allowed with the court's leave, but it "should freely give leave when justice so requires." Fed. R. Civ. P. 15. "In the absence of any apparent or declared reason-such as undue delay, bad faith or dilatory motive on the part of the movant, repeated failure to cure deficiencies by amendments previously allowed, undue prejudice to the opposing party by virtue of allowance of the amendment, futility of amendment, etc.-the leave sought should, as the rules require, be 'freely

1 given.'" *Foman v. Davis*, 371 U.S. 178, 182 (1962); *Hall v. City of Los Angeles*, 697 F.3d 1059,
2 1073 (9th Cir. 2012). Because Cardinale has failed to show any of these factors, the court
3 GRANTS leave to amend the complaint.

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Ronald M. Whyte
Ronald M. Whyte
United States District Court Judge